

## Accessible Parking in New Hampshire Enforcement Tips

In cooperation with the NH Division of Motor Vehicles, the Governor's Commission on Disability distributes informational pink "tickets" to educate those who park illegally in accessible spaces about NH Parking Laws, and how parking illegally impacts the lives of persons who have walking disabilities.

Before issuing a "ticket", please follow these guidelines for enforcing New Hampshire's laws for reserved parking spaces for people with walking disabilities:

1. Make sure that the accessible parking space is **clearly designated** by a sign that is mounted either on a post in front of the parking space, or on the building in front of the parking space. If there is no sign posted designating this space as an accessible space in accordance with NH State Law RSA 265:73-a, you cannot ticket *any* vehicle parked in this space.

**SIGNS are mounted on posts**



**ACCESS AISLE is clearly marked**

2. Be certain that the vehicle is parked illegally. **Parking illegally in an accessible space carries a fine of \$250.** A vehicle parked in designated accessible parking spaces must display **one of the following**:
  - a) A valid **registration plate** from any state **displaying the wheelchair** symbol or a Veteran's plate (V) displaying the wheelchair symbol.
  - b) Valid **Walking Disability permits** that have not expired, **displaying the wheelchair symbol**, hanging from the rear view mirror or clearly displayed in the windshield:
    - A red Temporary Walking Disability Parking Permit
    - A blue Permanent Walking Disability Parking Permit
3. The person to whom the Plate or Permit is issued must be either the driver or passenger of the vehicle displaying the Plate or Permit, and during the time that the vehicle is parked in the accessible parking space, should be conducting business within the immediate area. If you suspect that a person does not have a walking disability and is fraudulently using the parking space, you should contact the NH Division of Motor Vehicles at 271-2275. Questioning the presence of a walking disability is not recommended. Only law enforcement officials are allowed to ask individuals for identification that connects them with the registration plate or the identification number on the permit. **Fraudulent use of a Plate or Permit carries a fine of \$250.**

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- 4. No vehicle – not even a vehicle with a wheelchair symbol displayed - should be parked within the Access Aisle.** The Access Aisle is the striped area next to the parking space that allows a person using crutches, canes, a walker, or a wheelchair enough maneuvering space to get in to and out of their vehicle. **Parking in an Access Aisle carries a fine of \$50 for the first offense.**

A pink “Ticket” should be issued for informing the person that they have parked within the Access Aisle, but caution should be taken to make certain that part of the vehicle, and not just one tire, overlaps into the Access Aisle. In accordance with NH Parking Law RSA 265:69 vehicles are not allowed to be parking in an Access Aisle. However, this is somewhat up to the judgment of the enforcement authority. A good rule of thumb is that if both tires of one side of the vehicle, or if more than 8 inches of the access aisle is taken up by the vehicle, then a ticket should be issued. It is a common **misunderstanding** by both the general public and enforcement officials that vehicles with the wheelchair plate or permit are allowed to park within the Access Aisle.

When using the pink “Tickets” distributed by the NH Governor’s Commission on Disability, make sure that your numerical code is printed clearly on the corner of each ticket. Legibly fill out the ticket but refrain from writing negative comments. Place the pink copy under the windshield wiper or in the door of the illegally parked vehicle. Mail the copy of the ticket(s) issued to the Governor’s Commission on Disability, 57 Regional Drive, Concord, NH 03301.

**IMPORTANT!** NH Parking Law RSA 265:69-a expands enforcement to persons with walking disabilities, *or their drivers*, who are unable to park in or use an accessible space because of an illegally parked vehicle, in that they may now submit clear photographic evidence showing that the vehicle that is parked illegally. This applies for both the violation of the accessible parking space and of the access aisle. It is strongly recommended that three photographs of the vehicle in violation be submitted, with two views showing both registration plates and one view showing the windshield. It is necessary to show the parking sign in at least two of these photographs. Make note of the location, the date, and the time that the photograph was taken. Submit this evidence, with a sworn statement (either in person or notarized), to the police department in the town where the alleged violation occurred. The police department should then issue a parking ticket to the person who possesses the registration of that vehicle.

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